

# JAY BYBEE SUGGESTS HE WOULDN'T RECUSE ON GHOST DETAINEE CASE

When Jerry Nadler asked Jay Bybee whether or not it would be legal to disappear someone for three years, the Appeals Court Judge refused to answer, saying he might have to rule on such an issue.

Nadler: Let's assume you had been asked the question, would it be legal to keep people incommunicado in solitary confinement for over 3 years with no knowledge of where they were being held, with no contact with anyone other than the interrogators for 3 years?

[snip]

Nadler: I'm asking under the laws of the United States generally, is it legal or illegal in your opinion to do what I just described?

Bybee: I don't think I can answer it. I'm very hesitant to speculate because these are the kinds of questions that may come up before my court. I don't want to be prejudging.

So the guy whose signature set up our entire detainee abuse regime pretends, at least, that he might rule on the issue of ghost detainees as a Judge.

Anyone need any more reasons why Jay Bybee should no longer serve as an Appeals Court Judge?